PESPO SIDEY

DOCUMENT

ELECTRONICALLY FILED

DOC #:\_\_\_\_

DATE FILED:\_\_ 5/27/2025

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ADRIAN OREE,

Plaintiff,

-against-

PARKCHESTER CONDOMINIUM COMPLEX; PPC RESIDENTIAL, LLC; PARKCHESTER PRESERVATION MANAGEMENT LLC; PARKCHESTER PRESERVATION COMPANY, LP,

Defendants.

25-CV-363 (MKV)
ORDER OF SERVICE

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff Adrian Oree, who is appearing *pro se*, brings this action invoking Title III of the Americans with Disabilities Act. The complaint may also be construed as asserting claims under the Fair Housing Act, 42 U.S.C. § 3604(b), (f), and the New York State and City Human Rights Laws.<sup>1</sup>

#### A. Order of Service

Because Plaintiff Adrian Oree has been granted permission to proceed IFP, she is entitled to rely on the Court and the U.S. Marshals Service to effect service.<sup>2</sup> *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue

<sup>&</sup>lt;sup>1</sup> Darney Rivers filed the complaint on Oree's behalf, and only Rivers signed it and submitted an IFP application. (ECF 1, 2.) By order dated April 7, 2025, the Court directed the Clerk of Court to dismiss Rivers from the action and add Adrian Oree as the plaintiff under Fed. R. Civ. P. 21. (ECF 5.) Oree subsequently filed an IFP application and a signed signature page of the complaint. (ECF 6.)

<sup>&</sup>lt;sup>2</sup>Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have effected service until the Court reviewed the complaint and ordered that any summonses be issued. The Court therefore extends the time to serve until 90 days after the date any summonses issue.

and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP)).

To allow Plaintiff to effect service on Defendants through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for Defendants. The Clerk of Court is further instructed to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendants.

If the complaint is not served within 90 days after the date summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff's responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if her address changes, and the Court may dismiss the action if Plaintiff fails to do so.

#### **B.** Referral to Pro Se Clinic

Plaintiff is advised that there is a Pro Se Law Clinic available to assist self-represented parties in civil cases. The Clinic may be able to provide Plaintiff with advice in connection with her case. The Pro Se Law Clinic is run by a private organization called the City Bar Justice Center; it is not part of, or run by, the Court (and, among other things, therefore cannot accept filings on behalf of the Court, which must still be made by any self-represented party through the Pro Se Intake Unit).

To make an appointment, Plaintiff must complete the City Bar Justice Center's intake form. If Plaintiff has questions about the intake form or needs to highlight an urgent deadline already disclosed in the form, the clinic can be contacted by phone (212-382-4794) or email (fedprosdny@nycbar.org). In-person appointments in the Thurgood Marshall Courthouse in Manhattan and the Charles L. Brieant Jr. Federal Building and Courthouse in White Plains are

available Monday through Thursday, 10am to 4pm. Appointments are also available remotely Monday through Friday, 10am to 4pm.

#### **CONCLUSION**

The Clerk of Court is instructed to issue summonses for the Parkchester Condominium Complex; PPC Residential, LLC; Parkchester Preservation Management LLC; and Parkchester Preservation Company, LP., complete the USM-285 forms with the addresses for Defendants, and deliver all documents necessary to effect service to the U.S. Marshals Service.

The Clerk of Court is directed to mail an information package to Plaintiff.

Plaintiff may receive court documents by email by completing the form, Consent to Electronic Service.<sup>3</sup>

SO ORDERED.

Dated: May 27, 2025

New York, New York

<sup>3</sup> If Plaintiff consents to receive documents by email, Plaintiff will no longer receive court documents by regular mail.

### SERVICE ADDRESS FOR EACH DEFENDANT

- Parkchester Condominium Complex 1595 Unionport Road Bronx, New York 10472
- 2. PPC Residential, LLC 2000 East Tremont Street Bronx, New York 10462
- 3. Parkchester Preservation Management LLC 2000 East Tremont Street Bronx, New York 10462
- 4. Parkchester Preservation Company, LP 2000 East Tremont Street Bronx, New York 10462

# FEDERAL PRO SE LEGAL ASSISTANCE PROJECT

in the Southern District of New York (SDNY)



## ABOUT THE PROJECT

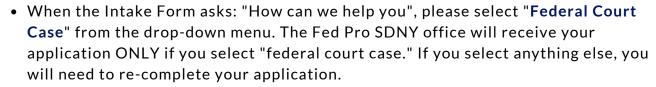
The Federal Pro Se Legal Assistance Project (Fed Pro) provides limited assistance to selfrepresented litigants (plaintiffs and defendants) with cases involving civil legal matters in the United States District Court for the Southern District of New York (SDNY).

## **HOW TO SCHEDULE AN APPOINTMENT**

To schedule an appointment for assistance with City Bar Justice Center's Fed Pro project, you must first complete our online Intake Form.

- Our online Intake Form is accessible via one of these methods:
  - Scan the QR code to the right.
  - Go to bit.ly/prosesdny





Once you complete the form, someone will contact you, usually within five business days, to schedule an appointment. If you are not able to complete the Intake Form, please call (212) 382-4794, leave a detailed message, and wait for us to call you back, typically within five business days.

# **HOW WE HELP**

While we cannot provide full representation, we can assist litigants by providing limited-scope services such as:



**Counseling** about potential federal claims prior to filing suit



**Interpreting and explaining** federal



law and procedure



Assisting with the **settlement** process (including mediation)

Consulting on **discovery** 

matters



Reviewing drafted pleadings and correspondence with the Court

